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LEGISLATIVE HISTORY

Public Law 152 -- 82nd Congress

Chapter 409 - 1st Session

H. R. 4443

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DIGEST OF PUBLIC LAW 152

AN ACT to prevent the entry of certain mollusks into the United States. Provides that the Secretary of Agriculture shall establish such facilities for, and prescribe such regulations governing, the inspection and treatment of produce, baggage, salvaged war materials, and other goods entering the United States from areas infested with any terrestrial or fresh-water mollusk, as he considers necessary to prevent the entry of such mollusks into the United States.

SUMMARY AND INDEX OF H. R. 4443

June 13, 1951	Mr. Lucas introduced H. R. 4443 which was referred to the Committee on Agriculture. Print of bill as introduced.
August 7, 1951	Reported without amendment. House Report 800. Print of bill as reported.
August 20, 1951	H. R. 4443 passed the House without amendment.
August 21, 1951	H. R. 4443 placed on Senate Calendar.
August 27, 1951	H. R. 4443 passed Senate without amendment.
September 22, 1951	Approved: Public 152.

H. R. 4443

OF THE HOUSE OF REPRESENTATIVES

IN SENATE

BY UNANIMOUS CONSENT, THE SENATE PASSED THE FOLLOWING RESOLUTION:

A BILL

TO AMEND THE ACT TO PROVIDE FOR THE REGISTRATION OF VOTERS

IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled, February 2, 1907.

That the Secretary of the District of Columbia shall cause to be printed and distributed to the electors of the District of Columbia a copy of the following

act, to wit: The act to provide for the registration of voters in the District of Columbia, and for other purposes, approved February 2, 1907.

Approved February 2, 1907.

82D CONGRESS
1ST SESSION

H. R. 4443

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1951

Mr. LUCAS introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To prevent the entry of certain mollusks into the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture shall establish such facili-
4 ties for, and prescribe such regulations governing, the in-
5 spection and treatment of produce, baggage, salvaged war
6 materials, and other goods entering the United States from
7 areas infested with any terrestrial or fresh-water mollusk, as
8 he considers necessary to prevent the entry of such mollusks
9 into the United States. Whoever violates any such regu-
10 lation or imports such a mollusk into the United States shall
11 be fined not more than \$500 or imprisoned not more than

1 one year, or both. The term "United States", as used in
2 this Act in a territorial sense, means the forty-eight States,
3 the District of Columbia, the possessions of the United States
4 (except those which the Secretary of Agriculture finds are
5 infested with such mollusks), and the Canal Zone.

82ND CONGRESS
1ST SESSION

H. R. 4443

A BILL

To prevent the entry of certain mollusks into
the United States.

By Mr. LUCAS

JUNE 13, 1951

Referred to the Committee on Agriculture

PROHIBITING ENTRY OF MOLLUSKS

AUGUST 7, 1951.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 4443]

The Committee on Agriculture, to whom was referred the bill (H. R. 4443) to prevent the entry of certain mollusks into the United States, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

In the Eighty-first Congress, this committee reported on June 28, 1950 (Rept. No. 2363) a bill to prohibit the entry of certain snails into the United States. The bill was passed by the House on July 27, 1950, and was reported favorably by the Senate Committee on Agriculture and Forestry without amendment. Late in the session (December 15, 1950) the Senate adopted the bill, but attached to it an amendment dealing with an entirely different subject, and the bill died without a conference being held on it.

This bill (H. R. 4443) authorizes the Secretary of Agriculture to prescribe such regulations and actions as he deems necessary to prevent the entry of any terrestrial or fresh-water mollusks into the United States, and makes it a misdemeanor to violate such regulations.

The need for this legislation arises from the fact that at the present time the authority of the various Federal agencies conducting inspection operations at ports of entry is limited to the exclusion of only those types of animal life which are known to be carriers of disease. There is no authority, or only questionable authority, to prohibit the entry of mollusks, snails, and other forms of animal life which may be destructive in and of themselves, but which are not conclusively demonstrated to be carriers of some animal, human, or plant disease.

Many types of destructive snails and mollusks which do not exist at the present time in the United States are common in other parts of the world. Many of these, while not proved conclusively to be carriers of disease, are known to be highly destructive of plant life, including many valuable crops, and are also suspected of transmitting numerous plant diseases. Within the past few years a number of these foreign mollusks have been found in shipments of war matériel and other articles being imported into the United States. This bill will give the Secretary of Agriculture the authority to exclude these mollusks without any showing that they are carriers of disease, if such mollusks do not exist in the United States.

The Department of Agriculture states that the inspections required by this legislation can be carried out by existing personnel and that no additional expenditure of funds is expected to result from enactment of this legislation.

DEPARTMENT REPORT

The adoption of the bill is recommended by the Department of Agriculture, and the letter from Acting Secretary C. J. McCormick is appended hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., July 20, 1951.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. COOLEY: This is in reply to your request of July 16, 1951, for a report on H. R. 4443, a bill to prevent the entry of certain mollusks into the United States. The bill would authorize the Secretary of Agriculture to prescribe regulations which would govern the entry of baggage, salvaged war materials, and other goods entering the United States from areas infested with any terrestrial or fresh-water mollusk.

The need for such regulations has been repeatedly demonstrated during recent years by the arrival at several ports of entry of living giant African snails associated with salvaged war materials. This destructive snail is not known to be established in the continental United States, and it is highly desirable that legal authorization be made available to enable the Secretary of Agriculture to take appropriate steps to prevent the introduction and establishment of snails which may affect American agriculture. In the absence of the desired authority, it has been necessary for the plant quarantine inspectors of the Bureau of Entomology and Plant Quarantine of this Department to seek the voluntary cooperation of the importers in surrounding such shipments with safeguards designed to prevent the entry of snails associated with the materials mentioned above.

It is not believed that the enactment of the proposed legislation would necessitate additional appropriations.

A study is now being made by the Interdepartmental Committee on Pest Control of proposed legislation which would encompass a much wider field than is covered in H. R. 4443. This proposed legislation will probably include provisions for control of such plant pests as worms, insects, nematodes, slugs, and snails, any form of protozoa, fungi, bacteria, or other living parasitic plants, any living viruses, and similar or allied organisms, which can directly or indirectly injure or cause disease in plants or parts thereof. It will require considerable time to complete the studies which are being made with respect to such legislation, and pending the preparation and enactment of such legislation, H. R. 4443 would serve a useful purpose.

This Department recommends that H. R. 4443 be passed.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely,

C. J. McCORMICK, *Acting Secretary.*

Union Calendar No. 256

82^D CONGRESS
1ST SESSION

H. R. 4443

[Report No. 800]

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1951

Mr. LUCAS introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 7, 1951

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To prevent the entry of certain mollusks into the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture shall establish such facili-
4 ties for, and prescribe such regulations governing, the in-
5 spection and treatment of produce, baggage, salvaged war
6 materials, and other goods entering the United States from
7 areas infested with any terrestrial or fresh-water mollusk, as
8 he considers necessary to prevent the entry of such mollusks
9 into the United States. Whoever violates any such regu-
10 lation or imports such a mollusk into the United States shall
11 be fined not more than \$500 or imprisoned not more than

1 one year, or both. The term "United States", as used in
 2 this Act in a territorial sense, means the forty-eight States,
 3 the District of Columbia, the possessions of the United States
 4 (except those which the Secretary of Agriculture finds are
 5 infested with such mollusks), and the Canal Zone.

Union Calendar No. 256

82d CONGRESS
 1ST SESSION

H. R. 4443

[Report No. 800]

A BILL

To prevent the entry of certain mollusks into
 the United States.

By Mr. Lucas

JUNE 13, 1951

Referred to the Committee on Agriculture

AUGUST 7, 1951

Committed to the Committee of the Whole House on
 the State of the Union and ordered to be printed

it further we decided that it was advisable to make a few other amendments.

Mr. BYRNES of Wisconsin. I would assume that the bar association might have some interest in the subject matter of this legislation; can the gentleman advise as to whether or not the advice of the American Bar Association has been received by the committee on this matter?

Mr. CRUMPACKER. With the exception of the last section I do not see that they have any interest; it merely pertains to the distribution of the Statutes at Large to the Government departments. I do not think that would involve the bar association in any way, shape, or manner. The last provision of the bill deals with sale to the public, and that is a relatively minor matter.

Mr. BYRNES of Wisconsin. Would the gentleman say that the bill as reported is noncontroversial, purely administrative?

Mr. CRUMPACKER. That is correct. We hope to save a little money with this change in distribution.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act approved March 3, 1873 (17 Stat. 578; R. S. 387; 5 U. S. C. 339), is hereby repealed.

SEC. 2. That so much of section 73 of the Printing Act, approved January 12, 1895 (28 Stat. 601, 615), as amended, as relates to the printing, binding, and distribution of the Statutes at Large (44 U. S. C. 196a), is hereby further amended to read as follows:

"§ 196a. Same; distribution.

"The Public Printer shall, after the final adjournment of each regular session of Congress, print and bind copies of the Statutes at Large to be charged to the congressional allotment for printing and binding. The number and distribution of the copies shall be under the control of the Joint Committee on Printing."

SEC. 3. The analysis of chapter 19 of title 28, United States Code, is hereby amended to read as follows:

"Sec.

"411. Supreme Court reports; printing, binding, and distribution.

"412. Supreme Court reports; cost and sale.

"413. Publications; distribution to courts.

"414. Transmittal of books to successors.

"415. Court of Claims decisions."

SEC. 4. Section 411 of title 28, United States Code, as amended, is hereby further amended to read as follows:

"§ 411. Supreme Court reports; printing, binding and distribution.

"(a) The decisions of the Supreme Court of the United States shall be printed, bound, and distributed in the preliminary prints and bound volumes of the United States Reports as soon as practicable after rendition, to be charged to the proper appropriation for the judiciary. The number and distribution of the copies shall be under the control of the Joint Committee on Printing.

"(b) Reports printed prior to June 12, 1926, shall not be furnished the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force.

"(c) The Public Printer, or other printer designated by the Supreme Court of the United States, upon request, shall furnish to the Superintendent of Documents the reports required to be distributed under the provisions of this section."

SEC. 5. Section 413 of title 28, United States Code, as amended, is hereby further amended to read as follows:

"§ 413. Publications; distribution to courts.

"Distribution of publications to Federal courts in accordance with the provisions of this chapter shall not be made to any place where such court is held in a building not owned or controlled by the United States unless such publications are committed to the custody of an officer of the United States at such building."

With the following committee amendments:

Page 2, between lines 11 and 12, change the chapter analysis heading for section 412 to "412. Sale of Supreme Court reports."

Page 3, between lines 9 and 10, insert the following new section:

"SEC. 5. Section 412 of title 28, United States Code, is hereby amended to read as follows:

"The Public Printer or other printer designated by the Supreme Court of the United States, shall print such additional bound volumes and preliminary prints of such reports as may be required for sale to the public. Such additional copies shall be sold by the Superintendent of Documents, as provided by law."

Page 3, line 10, change the section designation "5" to "6".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING VESSELS OF CANADIAN REGISTRY TO TRANSPORT GRAIN BETWEEN UNITED STATES PORTS ON THE GREAT LAKES DURING 1951.

The Clerk called the bill (H. R. 3436), authorizing vessels of Canadian Registry to transport grain between United States ports on the Great Lakes during 1951.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, by reason of emergency conditions in transportation on the Great Lakes, notwithstanding the provisions of section 27 of the Act of June 5, 1920 (41 Stat. 999), as amended by act of April 11, 1935 (49 Stat. 154), and by act of July 2, 1935 (49 Stat. 442), or the provisions of any other act or regulation, vessels of Canadian registry, shall be permitted to transport grain between United States ports on the Great Lakes until December 31, 1951, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate.

With the following committee amendment:

Page 1, line 8, after the word "registry," insert "when and to the extent certified by the Defense Transport Administration as to the need therefor".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE PARTICIPATION OF MILITARY PERSONNEL IN OLYMPIC GAMES

The Clerk called the bill (H. R. 1184) to authorize the training for, attendance at, and participation in, Olympic Games

by military personnel, and for other purposes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PROHIBITING ENTRY OF MOLLUSKS

The Clerk called the bill (H. R. 4443) to prevent the entry of certain mollusks into the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture shall establish such facilities for, and prescribe such regulations governing, the inspection and treatment of produce, baggage, salvaged war materials, and other goods entering the United States from areas infested with any terrestrial or fresh-water mollusk, as he considers necessary to prevent the entry of such mollusks into the United States. Whoever violates any such regulation or imports such a mollusk into the United States shall be fined not more than \$500 or imprisoned not more than 1 year, or both. The term "United States," as used in this act in a territorial sense, means the 48 States, the District of Columbia, the possessions of the United States (except those which the Secretary of Agriculture finds are infested with such mollusks), and the Canal Zone.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The Clerk called the bill (H. R. 5013) to authorize the President to proclaim regulations for preventing collisions at sea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., that the President is authorized to proclaim the regulations set forth in section 6 of this act for preventing collisions involving water-borne craft upon the high seas, and in all waters connected therewith. Such proclamation, together with the regulations, shall be published in the Federal Register, and, after the effective date specified in such proclamation, such regulations shall have effect as if enacted by statute and shall be followed by all public and private vessels of the United States, and by all aircraft of United States registry to the extent therein made applicable. Such regulations shall not apply to the harbors, rivers, and inland waters of the United States; to the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal in Montreal in the Province of Quebec, Canada; to the Red River of the North and the rivers emptying into the Gulf of Mexico and their tributaries; nor, with respect to aircraft, to any territorial waters of the United States.

SEC. 2. Any requirements of such regulations in respect of the number, position, range of visibility, or arc of visibility of the lights required to be displayed by vessels shall not apply to any vessel of the Navy or of the Coast Guard whenever the Secretary of the Navy or the Secretary of the Treasury, in the case of Coast Guard vessels operating under the Treasury Department, or such official as either may designate, shall find or certify that, by reason of special construction, it is not possible for such vessel or class of vessels to comply with such regulations.

The lights of any such exempted vessel or class of vessels, however, shall conform as closely to the requirements of the applicable regulations as the Secretary or such official shall find or certify to be feasible. Notice of such findings or certification and of the character and position of the lights prescribed to be displayed on such exempted vessel or class of vessels shall be published in the Federal Register and in the Notice to Mariners and, after the effective date specified in such notice, shall have effect as part of such regulations.

SEC. 3. Section 7 (a) of the Air Commerce Act of 1926 (U. S. C., 1946 edition, title 49, sec. 177 (a)), is amended to read as follows:

"Except as specifically provided in the act entitled 'An act to authorize the President to proclaim regulations for preventing collisions at sea', the navigation and shipping laws of the United States, including any definition of 'vessel' or 'vehicle' found therein and including the rules for the prevention of collisions, shall not be construed to apply to seaplanes or other aircraft or to the navigation of vessels in relation to seaplanes or other aircraft."

SEC. 4. Section 610 (a) of the Civil Aeronautics Act of 1938 (U. S. C., 1946 edition, title 49, sec. 560 (a)), is amended by deleting the word "and" at the end of paragraph (4); by changing the period at the end of paragraph (5) to a semicolon and adding the word "and"; and by adding a new paragraph (6) reading as follows:

"(6) For any person to operate a seaplane or other aircraft of United States registry upon the high seas in contravention of the regulations proclaimed by the President pursuant to section 1 of the act entitled 'An act to authorize the President to proclaim regulations for preventing collisions at sea'."

SEC. 5. After such regulations proclaimed under section 1 hereof shall have taken effect, all statutes, regulations, and rules in conflict therein shall be of no further force and effect. Until such time as such regulations shall have been proclaimed and made effective pursuant to this act, nothing herein shall in any way limit, supersede, or repeal any regulations for the prevention of collisions, which have heretofore been prescribed by statute, regulation, or rule.

SEC. 6. The regulations authorized to be proclaimed under section 1 hereof are the Regulations for Preventing Collisions at Sea, 1948, approved by the International Conference on Safety of Life at Sea, 1948, held at London from April 23 to June 10, 1948, as follows:

PART A.—PRELIMINARY AND DEFINITIONS

RULE 1

(a) These rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in rule 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

(b) The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(c) In the following rules, except where the context otherwise requires—

(i) the word "vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

(ii) the word "seaplane" includes a flying boat and any other aircraft designed to maneuver on the water;

(iii) the term "power-driven vessel" means any vessel propelled by machinery;

(iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;

(v) a vessel or seaplane on the water is "under way" when she is not at anchor, or made fast to the shore, or aground;

(vi) the term "height above the hull" means height above the uppermost continuous deck;

(vii) the length and breadth of a vessel shall be its maximum length and span appearing in her certificate of registry;

(viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;

(ix) the word "visible," when applied to lights, means visible on a dark night with a clear atmosphere;

(x) the term "short blast" means a blast of about one second's duration;

(xi) the term "prolonged blast" means a blast of from 4 to 6 seconds' duration;

(xii) the word "whistle" means whistle or siren;

(xiii) the word "tons" means gross tons.

PART B.—LIGHTS AND SHAPES

RULE 2

(a) A power-driven vessel when under way shall carry—

(i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass (22½°), so fixed as to show the light 10 points (112½°) on each side of the vessel, that is, from right ahead to 2 points (22½°) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(ii) Either forward of or abaft the white light mentioned in subsection (i) a second white light similar in construction and character to that light. Vessels of less than 150 feet in length, and vessels engaged in towing, shall not be required to carry this second white light but may do so.

(iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the lower light shall be forward of the upper one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.

(iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112½°), so fixed as to show the light from right ahead to 2 points (22½°) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass (112½°), so fixed as to show the light from right ahead to 2 points (22½°) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

(b) A seaplane under way on the water shall carry—

(i) In the forepart amidships where it can best be seen a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 220° of the compass, so fixed as to show the light 110° on each side of the seaplane, namely, from right ahead to 20° abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.

(ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110° of the compass, so fixed as to show the light from right ahead to 20° abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110° of the compass, so fixed as to show the light from right ahead to 20° abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

RULE 3

(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel or seaplane towed, exceeds 600 feet. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light mentioned in rule 2 (a) (i), except the additional light, which shall be carried at a height of not less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

(b) The towing vessel shall also show either the stern light specified in rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam. The carriage of the white light specified in rule 2 (a) (ii) is optional.

(c) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in rule 2 (b) (i), (ii), and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light mentioned in rule 2 (b) (i), and in a vertical line at least 6 feet above or below such light.

RULE 4

(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights required by rule 2 (a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry, where they can best be seen, two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two

Calendar No. 654

82D CONGRESS
1ST SESSION

H. R. 4443

IN THE SENATE OF THE UNITED STATES

AUGUST 21 (legislative day, AUGUST 1), 1951

Read twice and ordered to be placed on the calendar

AN ACT

To prevent the entry of certain mollusks into the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture shall establish such facili-
4 ties for, and prescribe such regulations governing, the in-
5 spection and treatment of produce, baggage, salvaged war
6 materials, and other goods entering the United States from
7 areas infested with any terrestrial or fresh-water mollusk, as
8 he considers necessary to prevent the entry of such mollusks
9 into the United States. Whoever violates any such regu-
10 lation or imports such a mollusk into the United States shall
11 be fined not more than \$500 or imprisoned not more than

1 one year, or both. The term "United States", as used in
2 this Act in a territorial sense, means the forty-eight States,
3 the District of Columbia, the possessions of the United States
4 (except those which the Secretary of Agriculture finds are
5 infested with such mollusks), and the Canal Zone.

Passed the House of Representatives August 20, 1951.

Attest:

RALPH R. ROBERTS,

Clerk.

82^d CONGRESS
1ST Session

H. R. 4443

AN ACT

To prevent the entry of certain mollusks into
the United States.

August 21 (legislative day, August 1), 1951

Read twice and ordered to be placed on the calendar

By Mr. RUSSELL:

S. 2030. A bill for the relief of certain Italian aliens; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 2031. A bill to further amend the Veterans' Preference Act of 1944, as amended, with respect to preference accorded in Federal employment to disabled veterans, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HENDRICKSON:

S. 2032. A bill to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of a State, or any agency, instrumentality, or body politic thereof, for occupancy by veterans of World War II and others; to the Committee on Banking and Currency.

(See the remarks of Mr. HENDRICKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 2033. A bill for the relief of Gluseppa S. Boyd; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2034. A bill for the relief of Charlotte Elizabeth Cason;

S. 2035. A bill for the relief of Cornelius A. Navori; and

S. 2036. A bill for the relief of Emery and Eleanor Nussbaum; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2037. A bill for the relief of Andre Anastatos; and

S. 2038. A bill for the relief of Alfredo Di Oliveira; to the Committee on the Judiciary.

AMENDMENT OF NATIONAL HOUSING ACT RELATING TO MORTGAGE INSURANCE

Mr. HENDRICKSON. Mr. President, I introduce for appropriate reference a bill to amend sections 213 and 610 of the National Housing Act with respect to the authorization of the Commissioner to insure any mortgage executed in connection with the sale by a State, or any agency thereof, of certain permanent housing projects, and I ask unanimous consent that a statement by me explaining the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 2032) to amend the National Housing Act to provide for insurance on mortgages executed in connection with the sale of permanent emergency housing projects constructed by or on behalf of a State, or any agency, instrumentality, or body politic thereof, for occupancy by veterans of World War II and others, introduced by Mr. HENDRICKSON, was read twice by its title, and referred to the Committee on Banking and Currency.

The statement by Mr. HENDRICKSON is as follows:

STATEMENT BY SENATOR HENDRICKSON

These proposed amendments to the National Housing Act are designed to permit the insurance of mortgages by the Federal Housing Administration executed in connection with the sale of veterans' emergency housing projects which were constructed under a program of a State or a political subdivision thereof.

BACKGROUND

The State of New Jersey, in cooperation with the municipalities of that State, constructed, after the last war, several thou-

sand permanent housing units which have been operated by the State, or its agencies, for the primary benefit of veterans of World War II, or their families. This action on the part of the State was apparently prompted by an awareness of, and a desire to do something about, the acute shortage of housing which existed after World War II, hindering greatly the ability of returning veterans to obtain suitable housing accommodations. Certain other States responded in a similar way to the acute housing needs of veterans following the close of World War II.

Under New Jersey law these housing projects must be sold at the end of the emergency period, which is now 5 years, but which may be extended for a further period of 2 years. Such housing may be sold prior to the termination of the emergency period, but during the balance of the emergency period it would be subject to regulations with respect to rents chargeable and eligibility of tenants.

The State of New Jersey would like to begin to dispose of these projects, and it would like to sell them to cooperative ownership housing corporations or to limited-dividend housing corporations which would continue to be under the supervision of the State in connection with the selection of tenants, rents, and profits. If the sales were made to either a cooperative-ownership corporation consisting of present tenants or to a limited-dividend corporation which would be subject to some control in the selection of tenants by the State Housing Authority, the projects could continue to serve to a large extent their primary purpose, namely, the housing needs of veterans. However, such sales will be possible only if relatively low-cost financing can be obtained.

Bills have accordingly been passed by the New Jersey State Legislature amending the State housing law of 1949 and the limited-dividend-housing-corporation law. These bills would permit limited-dividend housing corporations to purchase these projects and the State housing authority to loan moneys by way of mortgage to finance such purchases. The State housing authority will, under the proposed amendments, be in a position to make loans to limited-dividend corporations for the purchase of these projects under terms which would make such purchases possible. Money to be loaned by the State housing authority for such purpose must be raised by bond issues, and such bonds will not be readily salable at favorable rates of interest, unless the mortgage executed in connection with any such sale is insured by the Federal Housing Administration.

With FHA participation by way of insurance, as authorized by the proposed amendments to the National Housing Act, the State housing authority will be able to loan money to limited-dividend corporations or cooperatives upon terms which will make purchases by such groups feasible and a continuation of present low rentals in the projects sold possible.

PROPOSED AMENDMENTS TO NATIONAL HOUSING ACT

The first proposed amendment is to section 213 of the National Housing Act which provides generally for cooperative-housing insurance. As presently written, section 213 has been construed to have application only with respect to new construction and not to existing housing. The amendment adds a new subsection (h) to section 213 and authorizes FHA insurance of mortgages executed in connection with the sale by a State, or its agencies, of publicly owned veterans' emergency housing to a nonprofit cooperative-ownership corporation. The conditions and terms applicable with respect to such insurance are generally the same as in the case of insurance which may now be obtained under section 213. The sole purpose of the amendment is to permit such in-

surance in the case of existing construction, if such existing construction consists of veterans' emergency housing projects which are permanent in character and were constructed and are now held by a State, or an agency, instrumentality, or body politic thereof.

The second proposed amendment is to section 610 of the National Housing Act which authorizes FHA insurance in connection with the sale by the United States, or its agencies, of (1) Lanham Act properties (housing constructed during the World War II emergency by the Federal Government), (2) certain public housing projects owned or assisted by the Federal Government, and (3) the so-called Greenbelt towns. The amendment adds a new paragraph to section 610 to make the provisions of that section applicable with respect to the sale by a State, or its agencies, of State veterans' emergency housing projects. The amendment is not by its terms limited to the sale of such projects to a limited-dividend corporation, but the mortgagor must be regulated or restricted for the purposes and in the manner provided in paragraphs Nos. (1) and (2) of subsection (b) of section 207 of the National Housing Act. Such subsections provide generally for continued supervision by either a State agency or the Federal Housing Administration of the mortgagor with respect to rents, charges, capital structure, rate of return, and methods of operation. This limitation is not generally applicable with respect to mortgages insured under section 610, although it is applicable with respect to mortgages insured under section 213. As a practical matter, it is hoped by the interested State officials to sell the New Jersey projects to a limited-dividend corporations which would be subject to this type of regulation. Therefore, although the limitation might hinder the sale of such projects generally, it should prove to be no obstacle insofar as limited-dividend corporations are the prospective purchasers.

COST TO THE FEDERAL GOVERNMENT OF THE PROPOSED LEGISLATION

The question is raised as to whether the proposed amendments to the National Housing Act would involve a substantial cost to the Federal Government in the event they are enacted into law. In the normal course of legislative consideration of the proposed bill, reports would in all probability be made by the Federal Housing Administration and by the Bureau of the Budget. Such reports could be expected to make informed estimates with respect to the problem of cost and such information would be before the committee which would consider the bill and before the Congress, in the event the committee should report the bill out favorably. Very generally speaking, the proposed amendments would not appear to involve substantial new expenditures on the part of the Federal Government. The Federal Housing Administration is equipped to process applications for mortgage insurance and such mortgages should not be underwritten unless they are economically sound.

SUMMARY

These amendments would serve to assist the State of New Jersey in disposing of certain permanent emergency housing projects which were constructed by the State and its municipalities following the last war, primarily for the occupancy of veterans. Although the New Jersey situation is the one to which the amendments are mainly directed, it is certain that other States which have constructed similar housing would find the amendments advantageous in the event they are enacted into law.

The amendments will assist the State of New Jersey and many other States in the sale of such projects by permitting in certain cases Federal insurance of mortgages executed in connection with such sales. The

cases where such insurance may be obtained will occur when the sale is to (1) a non-profit cooperative ownership housing corporation or trust, or (2) any other purchaser, provided the corporation, trust or other purchaser is subject to State or Federal supervision in the management of such housing projects with respect to rents, charges, capital structure, rate of return, and methods of operation.

The amendments should, therefore, materially assist the State in disposing of its projects if the sales are made to either co-operatives or limited-dividend corporations, and it would appear from the file that these are the types of purchasers to which it is hoped to make the sales. The State and its municipalities could thereby get out of the business of owning and operating this type of housing and recover some or all of their original investment, but, at the same time, retain some control over the uses to which such housing will be put, to the end that it will continue to serve, more or less, the purposes for which it was constructed.

TERMINATION OF WAR WITH GERMANY— AMENDMENT

Mr. CASE. Mr. President, I submit an amendment intended to be proposed by me to House Joint Resolution 289, to terminate the state of war between the United States and the Government of Germany. The amendment will propose that the President be requested to negotiate a treaty of peace with Germany. I think it an anomalous situation that the treaty of peace with Japan should be signed before a treaty of peace is signed with Germany, VE-day in Europe having come several months ahead of the close of the war in the Pacific.

The VICE PRESIDENT. The amendment will be received and printed, and will lie on the table.

NOTICE OF MOTION TO SUSPEND RULE— AMENDMENT

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4740) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1952, and for other purposes, the following amendment; namely, on page 67, after line 6, insert:

"Sec. 606. The Director of the Federal Bureau of Investigation, United States Department of Justice, hereafter is authorized without regard to section 505 of the Classification Act of 1949 to place two positions in grade GS-18, and seven positions in grade GS-17 in the general schedule established by the Classification Act of 1949, and such positions shall be in lieu of any positions in the Federal Bureau of Investigation previously allocated under section 505. The compensation of the Associate Director of the Federal Bureau of Investigation hereafter shall be \$17,500 per annum.

"The Secretary of State hereafter is authorized without regard to section 505 of the Classification Act of 1949 to place one additional position in grade GS-17 in the general schedule established by the Classification Act of 1949.

"The Secretary of Commerce hereafter is authorized without regard to section 505 of the Classification Act of 1949 to place one additional position in grade GS-17 in the general schedule established by the Classification Act of 1949."

Mr. McCARRAN also submitted an amendment intended to be proposed by him to House bill 4740, making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1952, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 2176. An act for the relief of the Fort Pierce Port District; and

H. R. 4109. An act to amend section 73 of the act of January 12, 1895, as amended, relating to the printing, binding, and distribution of the Statutes at Large, and sections 411, 412, and 413 of title 28, United States Code, relating to the printing, binding, and distribution of decisions of the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

H. R. 3209. An act amending section 25 of the Tennessee Valley Authority Act of 1933, as amended; to the Committee on Public Works.

H. R. 3299. An act to extend the times for commencing and completing the construction of a free bridge across the Rio Grande at or near Del Rio, Tex.; and

H. J. Res. 290. Joint resolution for the recognition and endorsement of the World Metallurgical Congress; to the Committee on Foreign Relations.

H. R. 3436. An act authorizing vessels of Canadian registry to transport grain between United States ports on the Great Lakes during 1951; and

H. R. 5013. An act to authorize the President to proclaim regulations for preventing collisions at sea; to the Committee on Interstate and Foreign Commerce.

H. R. 3585. An act to authorize and direct the Administrator of General Services to transfer to the Department of the Navy certain property located at Decatur, Ill.; to the Committee on Expenditures in the Executive Departments.

H. R. 3590. An act relating to the income-tax treatment of gain realized on an involuntary conversion of property; and

H. R. 4014. An act to amend section 3121 of the Internal Revenue Code; to the Committee on Finance.

H. R. 3937. An act to amend the act of June 28, 1948 (62 Stat. 1061), to provide for the operation, management, maintenance, and demolition of federally acquired properties following the acquisition of such properties and before the establishment of the Independence National Historical Park, and for other purposes; and

H. R. 4203. An act to ratify and confirm Act 7 of the Session Laws of Hawaii, 1951, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945; to the Committee on Interior and Insular Affairs.

H. R. 4443. An act to prevent the entry of certain mollusks into the United States; ordered to be placed on the calendar.

H. R. 5215. An act making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes; to the Committee on Appropriations.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were

ordered to be printed in the Appendix, as follows:

By Mr. LEHMAN:

Article entitled "Dangers in Congressional Immunity," written by Senator BENTON and published in a recent issue of the New York Times magazine.

By Mr. DOUGLAS:

Article entitled "A Decalogue for Members of Congress," written by Senator BENTON and published in the August 12, 1951, issue of the New York Times magazine.

By Mr. SMITH of North Carolina:

Address delivered by Hon. Harry McMullan, attorney general of North Carolina, as president of the National Association of Attorneys General, in Seattle, Wash., August 6, 1951, which will appear hereafter in the Appendix.

By Mr. BENTON:

Article entitled "Press Subsidy Shows Profit, ECA Maintains," published in the Chicago Daily Tribune of August 9, 1951, and an article entitled "United States 'Scrapes Barrel' To Find Office Space for 30,000 in Year," published in the Washington Evening Star of July 21, 1951, relating to the operations of the Economic Cooperation Administration.

Article entitled "How Good Is the 'Voice' Program?—Admen Come In, Giving It New Life," published in Advertising Age for August 13, 1951.

By Mrs. SMITH of Maine:

Editorial entitled "Where Are We Going?" written by Miss Shirley Putnam, of Thomaston, Maine, and published in the Thanksgiving issue, 1950, of Sea Breeze Jr., a publication of the Thomaston High School.

By Mr. WATKINS:

Article entitled "McCARRAN Shies Away From McCARTHY Label," written by Harold B. Hinton and published in the New York Times of August 19, 1951.

By Mr. SPARKMAN:

An advertisement entitled "Mr. K. A. Swanstrom, of Doylestown, Pa., Teams Up With RCA for National Defense," published by the Radio Corp. of America in the Washington Post of August 21, 1951.

EMERGENCY LEGISLATION FOR RELIEF IN THE FLOOD DISASTER AREA

Mr. CARLSON. Mr. President, I ask unanimous consent to proceed for 2 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, late yesterday afternoon the President of the United States sent to the Congress a message urging immediate consideration of emergency legislation for relief in the flood disaster area.

I appreciate very much the action of the President of the Senate in referring the message to the Public Works and Appropriations Committees for joint consideration in order to secure early action on the President's request.

Mr. President, it is most urgent that Congress act speedily on a program of rehabilitation of the devastated flood areas.

It is my hope that we can take up Senate bill 1935, introduced by our colleague, the Senator from Missouri [Mr. HENNINGSEN], which will make direct grants to those who have lost homes, businesses, and in fact most of their worldly possessions, and secure early action on a program of rehabilitation for our citizens.

Mr. President, if the business of the Senate will not permit early adoption of all the points which have been recom-

ment. But I want the Senator to know that, so far as I am concerned, I am not seeking to pigeonhole the bill, but I am going to insist that the Committee on Rules and Administration have a right to examine the proposal before the Senate proceeds to its consideration.

Mr. McCLELLAN. Mr. President, I have never set a definite time. I suggested 10 days, 2 weeks, or any reasonable time to which the chairman of the Committee on Rules and Administration or the Senator who is making the motion would agree. Certainly there has been no purpose on my part, as author of the bill, or on the part of the Committee on Expenditures in the Executive Departments, to usurp the jurisdiction of any other committee. The bill was introduced, and the Chair—I assume on the advice of the Parliamentarian—referred it to the Expenditures Committee last year. The bill was reintroduced this year and similarly referred. A motion was never made to discharge the committee or to rerefer the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield.

Mr. WHERRY. Certainly the junior Senator from Nebraska called this to the attention of the Senator from Arkansas, and asked that the bill be referred.

Mr. McCLELLAN. The Senator did, after it had gone on the calendar.

Mr. WHERRY. That is correct, after it had been placed on the calendar. I had assurance from the chairman of the committee that the Senator from Arkansas would permit the bill to go to the Committee on Rules and Administration before it was reported and placed on the calendar.

Mr. McCLELLAN. I said that it might go to the Committee on Rules and Administration, and I am still willing to agree that it might go to that committee, provided there is an agreement that it shall be reported back and not kept in committee indefinitely. The Senator talks about being fair. I simply wanted to make this observation.

I had no previous notice that the Senator, as a member of the Committee on Rules and Administration, who makes this motion, had any objection to the Expenditures Committee considering the bill, or to the jurisdiction of the committee and the processing of the bill. I had no information about it until after the bill was placed on the calendar. I do not think that after a bill has been before a committee for 2 years, after the committee works on it and gets it on the calendar, some other committee claiming jurisdiction should then be permitted to take the bill, without agreeing to bring it back at some reasonable time. That, Mr. President, I shall insist upon.

As to the question of actual jurisdiction, it may be doubtful which committee really has jurisdiction. It is difficult to tell, under the rule. Certainly the Parliamentarian interpreted the rules to the effect that the Committee on Expenditures in the Executive Departments had jurisdiction, both when the bill was originally introduced last

year, and again when it was introduced this year.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 3463) to authorize the transfer of certain naval vessels was announced as next in order.

Mr. LANGER. Over.

Mr. HENDRICKSON. Mr. President, in view of the fact that we have an agreement to vote on the bill, I ask that it go over.

Mr. HUNT. I did not understand the statement of the Senator from New Jersey.

Mr. HENDRICKSON. I stated that there was an agreement in effect to vote on the bill after the Senate disposes of the unfinished business.

The PRESIDENT pro tempore. Objection is heard, and the bill goes over.

The joint resolution (S. J. Res. 52) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

WLADIMIR PETER LEWICKI, ET AL—BILL RECOMMITTED

The bill (H. R. 744) for the relief of Wladimir Peter Lewicki, Mrs. Heedwige Lewicki, and George Wladimir Lewicki was announced as next in order.

Mr. McCARRAN. Mr. President, on July 31, 1951, the Judiciary Committee reported to the Senate the bill H. R. 744, a private immigration bill. When the Calendar was called on August 9, I asked that the bill go over because information had come to us that warranted further investigation.

It now appears that the investigation may take some time, and I do not believe the bill should remain on the calendar in the interim; so I propose to ask unanimous consent that this bill may be recommitted to the Committee on the Judiciary.

If the conclusion of the investigation leaves this matter still in a favorable light, the bill can then be reported back to the Senate Calendar. Meanwhile, the bill should not be on the calendar, but should be in committee, until the investigation has been completed.

Mr. President, I now ask unanimous consent that H. R. 744, Calendar No. 557, may be recommitted to the Committee on the Judiciary.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada? The Chair hears none, and the bill is recommitted to the Committee on the Judiciary.

RELIEF OF CERTAIN PERSECUTED PERSONS

The bill (S. 1748) to amend sec. 32 of the Trading With the Enemy Act, as amended, with reference to the designation of organizations as successors in interest to deceased persons, was announced as next in order.

Mr. CHAVEZ. Mr. President, for the same reason which I gave with reference

to Calendar No. 540, I ask that this bill go over.

Mr. McCARRAN. Mr. President, will the Senator withhold his objection for a moment?

Mr. CHAVEZ. Yes.

Mr. McCARRAN. Mr. President, this bill is similar to S. 603, which passed the Senate on August 9, 1949, in the Eighty-first Congress. The bill provides that the President may turn over certain property in the hands of the Alien Property Custodian to charitable organizations designated by him for the rehabilitation and settlement of persecuted persons.

The property involved is that property which would have been returned to persecuted persons under section 32 (a) (2) of the Trading With the Enemy Act, had such persons been alive. The property here under consideration is again that property which is heirless, and therefore would be returned to the general fund, which is not the intent to be accomplished under section 32 (a) (2) of the Trading With the Enemy Act.

The charitable organizations to which this property will be returned are organizations embracing the same class to which the deceased persecutee was a member.

The Department of Justice and the Department of State endorse this legislation, particularly in view of the fact that it is also an effort to carry out the terms of the Paris Conference on Reparations of December 1945 as regards this particular problem. The committee was convinced that the bill is meritorious, and therefore recommended favorable consideration.

Mr. CHAVEZ. Mr. President, I am positive that the matters which the Senator from Nevada has discussed have a great deal of merit. However, sometime ago Congress passed a law, known as the war claims law, under which ex-servicemen who had been imprisoned by the Japanese in the Philippines and at other places in the Pacific were to be taken care of from funds of the Japanese Government which are now under the control of the United States.

There were thousands of American boys who were captured in the Philippines, who went through the agony of the damned, many of whom did not return home. Until the payments under the war claims law are made, it certainly does not seem fair, irrespective of the merits of the case, that someone else should be taken care of first. For the reason that I want to see taken care of first those American prisoners of war of the Japanese who were in the Pacific and in the Philippine Islands, I must ask that the bill go over. Those former prisoners can be seen in my home State, in Illinois, Massachusetts, Georgia, Tennessee, Washington, and North Dakota. They look fine today. Next week they may be in an insane asylum. The week after that they may be dead. I want to see them taken care of first. For that reason, and until they are taken care of, I must for the moment ask that the bill go over.

The PRESIDENT pro tempore. Objection is heard. The bill will be passed over.

BILL PASSED OVER

The bill (S. 1770) to amend the Administrative Procedure Act, and eliminate certain exemptions therefrom, was announced as next in order.

Mr. MCFARLAND. Mr. President, will the Senator from Nevada briefly explain the bill?

Mr. MCCARRAN. Mr. President, this is a bill which, in my judgment, should not pass on a call of the calendar. I am hopeful that it may be possible to call the bill up at some time in the near future, and make it the pending business, so that it can be debated and given the consideration which it merits.

I do not believe that debate on this bill will take an excessively long time; in fact, I think it can be disposed of in a day or less; nevertheless, I do not believe the bill should be passed on a calendar call.

Mr. MCFARLAND. Under those circumstances, I ask that the bill go over. I did not want to make the request, but in view of the statement of the Senator from Nevada I will ask that the bill go over. It is on our agenda, and we hope we will reach it at an early date.

The PRESIDENT pro tempore. The bill will be passed over.

PREVENTION OF ENTRY OF CERTAIN MOLLUSKS INTO THE UNITED STATES

The bill (S. 1489) to prevent the entry of certain mollusks into the United States was announced as next in order.

Mr. HENDRICKSON. Mr. President, there is a similar House bill on the calendar.

The PRESIDENT pro tempore. The clerk will state the House bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 4443) to prevent the entry of certain mollusks into the United States.

The PRESIDENT pro tempore. Is there objection to the substitution of the House bill and its present consideration?

There being no objection, the bill (H. R. 654) to prevent the entry of certain mollusks into the United States was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1489 is indefinitely postponed.

BILLS PASSED OVER

The bill (S. 436) to provide for the separation of subsidy from air-mail pay, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHOEPEL. No report has been filed with this bill. At least we have not had access to any report on it. Therefore, I suggest that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1976) to provide for home rule in the District of Columbia was announced as next in order.

Mr. ELLENDER. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WHERRY subsequently said:

Mr. President, what happened to Senate bill 1976. Calendar No. 592?

The PRESIDENT pro tempore. The bill was passed over, by request.

Mr. WHERRY. At whose request was the bill passed over, Mr. President?

The PRESIDENT pro tempore. At the request of the Senator from Louisiana [Mr. ELLENDER], the Chair believes.

Mr. ELLENDER. Yes; it was at my request.

CREATION OF CORPORATIONS IN THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The bill (S. 664) to amend section 4 of the act of May 5, 1870, as amended and codified, entitled "An act to provide for the creation of corporations in the District of Columbia by general law," and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. MAGNUSON. Mr. President, reserving the right to object—and I shall not object to the consideration of this bill—at this time I wish to speak in regard to Senate bill 1748, Calendar No. 565, which the distinguished Senator from New Mexico asked to have passed over.

I think probably the record should be made clear that there are two other measures, which were voted out of the Judiciary Committee this morning, which include the same general subject; but inasmuch as the Senator from New Mexico and I were quite active in regard to the original bill involving prisoners of war, I expressed some doubt this morning in the committee, and stated that we did not want to have the already inadequate fund dissipated until the claims of the prisoners of war were taken care of by the War Claims Commission. Their situation is exactly as the Senator from New Mexico has stated; his description of these unfortunates is not exaggerated at all.

This morning in the committee we agreed, as will be verified by the chairman of the Judiciary Committee—and I make this statement in order that these prisoners of war may know the situation—that to these measures we should have an amendment by means of which the prisoners of war who have not now been cleared or certified would have priority on the funds before taking care of others who would be paid.

Mr. CHAVEZ. I thank the Senator.

Mr. MAGNUSON. Mr. President, I now withdraw my objection to the present consideration of Calendar No. 595, Senate bill 664.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill? The Chair hears none, and the amendment reported by the committee will be stated.

The amendment was, on page 1, in line 8, after the word "any", to strike out "company to use any of their funds in the purchase of any stock in any other corporation: *Provided, however,* That this provision shall not apply to charitable, educational, and religious corporations incorporated under the Code of the District of Columbia or under any act of Congress," and insert "corporation, except a charitable, educational, or religious corporation incorporated under the laws of the District of Columbia or

under any act of Congress, to use its funds to purchase stock in any other corporation."

Mr. CHAVEZ. Mr. President, I have no feeling whatsoever against this measure, the reason being that I do not know the first thing about it. However, any measure dealing with corporation law is extremely important. I do not believe measures of this nature should be passed during the call of the Consent Calendar.

If the purposes of the proponents of the bill are good and if the bill is a good one, there is no particular reason why it should not be discussed by having the bill made the unfinished business at some definite time. Personally, I do not think measures of this nature should be passed on the Consent Calendar.

I ask any Senator now present to state what he knows about the bill.

Mr. HENDRICKSON. Mr. President, will the Senator withhold his objection?

Mr. CHAVEZ. I yield to the Senator from New Jersey. I have the greatest faith in my good friend, the Senator from New Jersey; but I should like to ask, in the best of faith, whether any of the 39 or 40 Senators now present knows the first thing about what is proposed to be done by means of this bill.

Mr. HENDRICKSON. Mr. President, first, I should like to say that the bill was gone over and was carefully considered by a very able subcommittee of the Committee on the District of Columbia, and was approved unanimously by both the Subcommittee and the full Committee on the District of Columbia.

Mr. CHAVEZ. What does the bill provide?

Mr. HENDRICKSON. I shall tell the Senator.

The purpose of the bill is to allow charitable, educational, and religious corporations to invest their funds in preferred corporate stocks. Under the present law of the District of Columbia, no corporation can invest in the stock of another corporation. That rule applies to all corporations. Of course, because of that restriction, eleemosynary corporations and charitable corporations have been denied the right to invest in the stock of other corporations, and thereby they are seriously limited in their investment portfolios and in the range of their investments. The consequence has been that they have lost considerable revenues because of the limited field in which they can make investments. This bill merely gives to charitable organizations the right to purchase preferred corporate stocks. That is all there is to the bill.

Mr. CHAVEZ. Mr. President, for the reasons announced by the Senator from New Jersey, I ask that the bill go over.

The PRESIDENT pro tempore. Objection being heard, the bill will be passed over.

Mr. CASE. Mr. President, reserving the right to object—

The PRESIDENT pro tempore. The bill has already been passed over.

Mr. CASE. Mr. President, I wish to reserve the right to object.

The PRESIDENT pro tempore. The Senator from New Mexico has already objected, and the bill has been passed over.

Public Law 152 - 82d Congress
Chapter 409 - 1st Session
H. R. 4443

AN ACT

To prevent the entry of certain mollusks into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall establish such facilities for, and prescribe such regulations governing, the inspection and treatment of produce, baggage, salvaged war materials, and other goods entering the United States from areas infested with any terrestrial or fresh-water mollusk, as he considers necessary to prevent the entry of such mollusks into the United States. Whoever violates any such regulation or imports such a mollusk into the United States shall be fined not more than \$500 or imprisoned not more than one year, or both. The term "United States", as used in this Act in a territorial sense, means the forty-eight States, the District of Columbia, the possessions of the United States (except those which the Secretary of Agriculture finds are infested with such mollusks), and the Canal Zone.

Approved September 22, 1951.

PUBLIC LAW 152 - 82d CONGRESS
Chapter 409 - 1st Session
H. R. 4443

AN ACT

To prevent the entry of certain mollusks into the United States.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the Secretary of Agriculture shall establish such facilities for, and prescribe such regulations governing, the inspection and treatment of produce, baggage, salvaged war materials, and other goods entering the United States from areas infested with any terrestrial or fresh-water mollusk, as he considers necessary to prevent the entry of such mollusks into the United States. Whoever violates any such regulation or imports such a mollusk into the United States shall be fined not more than \$500 or imprisoned not more than one year, or both. The term "United States", as used in this Act in a territorial sense, means the forty-eight States, the District of Columbia, the possessions of the United States (except those which the Secretary of Agriculture finds are infested with such mollusks), and the Canal Zone.

APPROVED SEPTEMBER 22, 1951.

